

Friday, 16 May, 1947

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INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST
Office of the President
War Ministry Building
Tokyo, Japan

PROCEEDING IN CHAMBERS

On

Paper No. 960 -- Request for subpoena to Central Intelligence Group or its successors for production of documents previously requested of Washington Document Center.

Paper No. 959 -- Same as above for accused SATO, Kenryo.

Oral request by Mr. Lazarus for subpoena for witness, SAITO, Yoshie in China phase.

Before:

HON. SIR WILLIAM WEBB,
President of the Tribunal and
Member from the Commonwealth of
Australia.

Reported by

Jack Greenberg,
Chief Court Reporter
IMTFE

Appearances:

For the Defense Section:

Mr. Alfred Brooks, Counsel for the Accused KOISO, Kuniaki and MINAMI, Jiro; also appearing for Mr. James N. Freeman, Counsel for the Accused SATO, Kenryo; and

Mr. Aristides G. Lazarus, Counsel for the Accused HATA, Shunroku.

For the Prosecution Section:

Mr. Solis Horwitz.

For the Secretariat:

Judge E. H. Dell, Legal Adviser; and
Mr. Paul Lynch, Deputy Clerk of the
Court.

The proceeding was begun at 1055.

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MR. BROOKS: These are the documents. Document 960 is for a request to the Washington Document Center for production of certain documents that had previously been requested from -- on 591, and I am asking now that this subpoena be issued to the Central Intelligence Group or its successors.

Also, on this other subpoena for Mr. SATO -- I am representing Mr. Freeman there -- on Paper 959: that was requested on former Paper 596, 596 being to the Washington Document Center and this one being directed to the Central Intelligence Group or the successors of either because we don't know what condition the documents are in, whether they are split between the two groups on -- and I want sufficient papers to justify their sending them back.

The prosecution is represented here, and they are familiar with it. Those are the same documents requested before except a little more detailed description being given.

I have listed, also, the telegram so that, if you want to split them up, if there is any question --

THE PRESIDENT: You are satisfied?

MR. HORWITZ: We are satisfied, and we have no objection.

THE PRESIDENT: I will approve it.

MR. LAZARUS: There is one witness, Yoshie SAITO, who has given a very long affidavit in the China phase. He has been around waiting to go on in the phase, but he has failed to come in recently when we needed him. He lives in Tokyo, and we know his address, and I respectfully ask for a subpoena. We will serve it on him, and he will come in here before we close the China phase.

THE PRESIDENT: Yes, I will so order.

(Whereupon, at 1056, the proceedings were concluded.)

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